

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

DANA DUGGAN, *individually and on
behalf of persons similarly situated,*

Plaintiff,

v.

MATT MARTORELLO, *ET AL.*

Defendants.

No. 1:18-cv-12277-JGD

JOINT STATUS REPORT

In accordance with this Court's Order requesting a status report by March 19, 2023 (Dkt. 309), Plaintiff, Dana Duggan, and Defendants, Matt Martorello and Eventide Credit Acquisitions, LLC ("Eventide") (Plaintiff and Defendants collectively referred to as "the Parties"), hereby submit this Joint Status Report.

In conjunction with litigants in Virginia and Oregon (these plaintiffs, the Parties, and other third parties to the settlement named in the agreement are collectively referenced as "the Settlement Parties"), the Settlement Parties have made significant progress towards resolving the broader litigation and have executed a stipulation and settlement agreement which, upon the happening of certain contingencies set forth in the stipulation and settlement agreement, could resolve the underlying litigation. The Settlement Parties plan to present the proposed settlement to the U.S. District Court for the Eastern District of Virginia for preliminary approval on approximately June 3, 2024, and if approved and proper notice is thereafter given to the class, the final fairness hearing will take place during approximately the week of October 28, 2024. If the

Settlement Parties cannot complete the substantive and/or procedural steps for the settlement, the agreement would be voidable, and the Settlement Parties and litigation would be returned to where they are now.

Under the terms of the settlement, the Parties have agreed to stay this litigation, subject to Court approval, while the Settlement Parties work through the dynamics of the stipulation and settlement agreement. Given that the case is already stayed because of Eventide's bankruptcy, the Parties hereby request that the stay remain in place and that the Parties provide another status report regarding developments with the settlement on or before June 20, 2024.

Dated: March 19, 2024

Respectfully submitted,

<p>Defendants, By their attorneys:</p> <p><u>/s/ Barney R. Given</u> Ian D. Roffman Michael J. Leard NUTTER, MCCLENNEN & FISH LLP Seaport West, 155 Seaport Blvd. Boston, Massachusetts 02210 T: (617) 439-2000 F: (617) 310-9000 iroffman@nutter.com mleard@nutter.com</p> <p>Bernard R. Given (<i>pro hac vice</i>) LOEB & LOEB LLP 10100 Santa Monica Blvd., Suite 2200 Los Angeles, CA 90067 T: 310.282.2000 F: 310.282.2200 bgiven@loeb.com</p>	<p>Plaintiff, By her attorneys:</p> <p><u>/s/ Michael A. Caddell</u> Elizabeth Ryan BAILEY GLASSER LLP 176 Federal Street, 5th Floor Boston, MA 02110 T. 617.439.6730 F. 617.951.3954 eryan@baileyglasser.com</p> <p>Michael A. Caddell (<i>pro hac vice</i>) Cynthia B. Chapman (<i>pro hac vice</i>) John B. Scofield, Jr. (<i>pro hac vice</i>) Amy E. Tabor (<i>pro hac vice</i>) CADDELL & CHAPMAN 628 East 9th Street Houston TX 77007 T: (713) 751-0400 F: (713) 751-0906</p>
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic File (NEF) on March 19, 2024.

/s/ John B. Scofield, Jr.
John B. Scofield, Jr.